

**MEDICAL EXAMINING BOARD
MINUTES
JULY 20, 2011**

- PRESENT:** Carolyn Bronston; James Conterato, MD; LaMarr Franklin; Jude Genereaux (excused at 11:56 a.m.); Azita Hamedani, MD; Sujatha Kailas, MD; Raymond Mager, DO; Christopher Magiera, MD; Suresh Misra, MD; Gene Musser, MD; Sandra Osborn, MD; Kenneth Simons, MD; Sheldon Wasserman, MD
- STAFF:** Tom Ryan, Bureau Director; Sandy Nowack, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DRL staff
- GUESTS:** Mark Grapentine, Wisconsin Medical Society; Judy Warmuth, WHA; Anne Hletko, Wisconsin Council on Physician Assistants; Eric Jensen, WAPA, WPA, WACEP, WSA; Lou Falligant, WAPA; Rita Black-Radloff, DWD; Nancy Sugden, UWSMPH

CALL TO ORDER

Dr. Sujatha Kailas, Chair, called the meeting to order at 8:25 a.m. A quorum of thirteen (13) members was confirmed.

ADOPTION OF AGENDA

Amendments:

- Under PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS, insert:
 - Todd M. Bradshaw, MD – 10 MED 232
 - Attorney Arthur Thexton
 - Case Advisor – Gene Musser
 - John W. Ingalls, MD – 08 MED 358
 - Attorney Arthur Thexton
 - Case Advisor - (not assigned)
 - Joseph Hillel Graboyes, MD – 09 MED 241
 - Attorney Jeanette Lytle
 - Case Advisor – Raymond Mager
- Under PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS, remove:
 - William J. Alt, MD – 10 MED 311
- Under INFORMATIONAL ITEMS, insert
 - Wisconsin to Pilot Maintenance of Licensure
 - Too Close for Comfort: Practical Tips to Avoid Professional Boundary Issues
- Item CS-1 – FULL BOARD ORAL EXAMINATION – Akram Youssef - delete this item

- Item CS-3 – DELIBERATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS, insert after page 424:
 - Todd M. Bradshaw, MD – 10 MED 232
 - Case Advisor – Gene Musser
 - John W. Ingalls, MD – 08 MED 358
 - Case Advisor - (not assigned)
 - Joseph Hillel Graboyes, MD – 09 MED 241
 - Case Advisor – Raymond Mager
- Item CS-3 – DELIBERATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS, remove:
 - William J. Alt, MD – 10 MED 311
- Item CS-6 – DELIIBERATION OF ADMINISTRATIVE WARNINGS, remove:
 - 11 MED 007
- Case Closing Report – insert at the end of the agenda after page 424

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 15, 2011

MOTION: Kenneth Simons moved, seconded by James Conterato, to approve the minutes of June 15, 2011 as written. Motion carried unanimously.

PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

DOE Attorneys presented Proposed Stipulations, Final Decisions and Orders in the following disciplinary proceedings:

Ross E. Levatter, MD	09 MED 717
Jeffrey T. Junig, MD	10 MED 120
Diana Kruse, MD	09 MED 256
Neal Melby, MD	08 MED 253
Chandra Reddy, MD	10 MED 374
Mohammed R. Sethi, MD	09 MED 289, 10 MED 202 and 10 MED 394
David Springer, MD	09 MED 396
Lawrence J. Williamson, MD	10 MED 032
Todd M. Bradshaw, MD	10 MED 232
John W. Ingalls, MD	08 MED 358
Joseph Hillel Graboyes, MD	09 MED 241

Legal Counsel Colleen Baird stepped in Sandy Nowack for the case presentations. These cases will be deliberated in closed session.

ITEMS RECEIVED AFTER MAILING OF AGENDA

Speaking Engagement, Travel and Public Relation Requests

Gene Musser has been in contact with the director of the UW-Madison psychology residency program. They are interested in having a board member present to the class. No date has been set at this time. Dr. Musser will contact other programs around the state to ascertain their interest in Board presentations.

ITEMS FOR BOARD DISCUSSION

Application Attestation Questions Review - Chad Zadrazil

Chad Zadrazil reviewed the updated application attestation questions with the Board.

Request from Wisconsin Health Workforce Data Collaborative for Voluntary Renewal Survey, November 2011 – Nancy A. Sugden and Anne Dopp

Nancy Sugden and Anne Dopp addressed the Board regarding the Wisconsin Health Workforce Collaborative. The mission of the Collaborative is to collect better healthcare workforce data. The last comprehensive workforce survey on physicians was done in 2000. The Board will take this matter under consideration.

Physician:PA Supervision Ratio Variance Request – Bellin Health

The Board reviewed the request from Bellin Health.

MOTION: Sandra Osborn moved, seconded by Suresh Misra, to deny the request for an increase in the physician to physician supervision ratio to Bellin Health. Motion carried. Gene Musser opposed.

Representatives from Bellin Health may request an appearance before the Board to appeal this decision.

Physician:PA Supervision Ratio Variance Request –Rheumatology and Immunotherapy Center

The Board reviewed the request from the Rheumatology and Immunotherapy Center for a variance in the physician to physician assistant supervision ratio.

MOTION: Sheldon Wasserman moved, seconded by Jude Genereaux, to deny the request for an increase in the physician to physician assistant supervision ratio to Rheumatology and Immunotherapy. Motion failed with 4 yes votes and 6 no votes.

Representatives from Rheumatology and Immunotherapy may request an appearance before the Board to present additional information.

Recommendations from the Council on Physician Assistants to Increase the Physician-Physician Assistant Supervision Ratio from 1:2 to 1:5

Anne Hletko, Chair, Council on Physician Assistants, addressed the Board regarding the Council's recommended increase in the physician to physician assistant supervision ratio from 1:2 to 1:5.

MOTION: Jude Genereaux moved, seconded by Kenneth Simons, to deny the recommendation from the Council on Physician Assistants to increase the physician to physician assistant supervision ratio from 1:2 to 1:5. Motion carried with ten yes votes and 2 opposed.

Gene Musser and James Conterato will collaborate with Anne Hletko to further review this issue.

Root Cause Analysis Discussion – Sheldon Wasserman

Sheldon Wasserman recently met with the Wisconsin Hospital Association in Elkhart Lake.

Administrative Warnings Discussion

Sandy Nowack addressed the Board regarding administrative warnings. The Board discussed having administrative warnings accessible via the website while still keeping the content confidential. Sandy Nowack will further research this issue.

Newsletter/Digest – Summer/Fall 2011 Digest Planning

The Board reviewed the articles on boundary issues and maintenance of licensure that were submitted for the Digest. Sujatha Kailas wants to review these items. The goal is to have the Digest ready for publication after the August Board meeting.

Wisconsin Prescription Monitoring Program Status

Tom Ryan reported the Department has applied for a grant. The grant monies are needed to proceed with the project

Review Travel Request – State Board Advisory Panel to the USMLE – August 1-2, 2011, Euless, TX – Sandra Osborn

MOTION: Suresh Misra moved, seconded by Carolyn Bronston, to authorize Sandra Osborn to attend the USMLE Advisory Panel to be held in Euless, Texas, August 1-2, 2011 Motion carried unanimously.

Sujatha Kailas recently attended a meeting of the FSMB Step 3 Committee. The NBME is looking at major changes to the test.

ADMINISTRATIVE MATTERS

The board further discussed the workforce collaborative survey. The survey would be tied to license renewal and should be electronic to minimize costs.

MOTION: James Conterato moved, seconded by Gene Musser to have the Department pursue the development of the workforce collaborative survey. Motion carried unanimously.

Sujatha Kailas, Tom Ryan and Domingo Leguizamon will collaborate on this project and this will be further reviewed at the August Board meeting.

LEGISLATIVE REPORT

2011 Wisconsin Act 21

2011 Wisconsin Act 21 is being reviewed to determine how this affects the Department and pending rules changes.

SCREENING PANEL REPORT

Jude Genereaux reported 17 (seventeen) cases were screened. Ten (10) cases were opened and three (3) ten-day letter(s) were sent.

INFORMATIONAL ITEMS

The informational items were noted.

PUBLIC COMMENTS

There were no public comments.

OTHER BUSINESS

There was no other Board business.

RECESS TO CLOSED SESSION

MOTION: Sandra Osborn moved, seconded by Gene Musser, to convene to closed session to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b), and Wis. Stat. § 440.205); consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to

confer with legal counsel (Wis. Stat. § 19.85 (1) (g)). Roll call: Carolyn Bronston-yes; James Conterato-yes; LaMarr Franklin-yes; Jude Genereaux-yes; Azita Hamedani-yes; Sujatha Kailas-yes; Raymond Mager-yes; Christopher Magiera-yes; Suresh Misra-yes; Gene Musser-yes; Sandra Osborn-yes; Kenneth Simons-yes; Sheldon Wasserman-yes. Motion carried unanimously.

Open session recessed at 10:45 a.m.

RECONVENE IN OPEN SESSION

MOTION: Sandra Osborn moved, seconded by James Conterato, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 12:35 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

MOTION: James Conterato moved, seconded by Gene Musser, to reaffirm all motions made in closed session. Motion carried unanimously.

APPOINTMENTS TO COUNCILS

MOTION: Carolyn Bronston moved, seconded by Sandra Osborn, to reappoint Anne Hletko to the Council on Physician Assistants. Motion carried unanimously.

The Board voted by ballot and hand count and appointed Jody Wilkins to the Council on Physician Assistants.

MOTION: Carolyn Bronston moved, seconded by Gene Musser, to appoint Lynn Waldera to the Respiratory Care Practitioners Examining Council. Motion carried unanimously.

Lynn Waldera replaces Ann Johnson on the Respiratory Care Practitioners Examining Council.

MOTION: Carolyn Bronston moved, seconded by Azita Hamedani, to appoint Jeffrey Edwards and Shawn Mergen to the Perfusionists Examining Council. Motion carried unanimously.

Jeffrey Edwards and Shawn Mergen replace David Helenbrand and Gary Hawkins on the Perfusionists Examining Council.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

**ROSS E LEVATTER, MD
09 MED 171**

MOTION: Suresh Misra moved, seconded by Raymond Mager, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Ross E. Levatter, MD. Motion carried unanimously.

**JEFFREY T JUNIG, MD
10 MED 120**

MOTION: Raymond Mager moved, seconded by James Conterato, to reject the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Jeffrey T. Junig, MD, and to return this matter to the Division of Enforcement. Motion carried. Gene Musser abstained.

**DIANA KRUSE, MD
09 MED 256**

MOTION: Carolyn Bronston moved, seconded by James Conterato, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Diana Kruse, MD. Motion carried unanimously.

**NEAL MELBY, MD
08 MED 253**

MOTION: Suresh Misra moved, seconded by Raymond Mager, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Neal Melby, MD. Motion carried unanimously.

**CHANDRA REDDY, MD
10 MED 374**

MOTION: James Conterato moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Chandra Reddy, MD. Motion carried unanimously.

MOHAMMED R SETHI, MD
09 MED 289, 10 MED 202 AND 10 MED 394

MOTION: Carolyn Bronston moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, and Interim Order in the disciplinary proceedings against Mohammed R. Sethi, MD. Motion carried unanimously.

DAVID SPRINGER, MD
09 MED 396

MOTION: Sheldon Wasserman moved, seconded by Jude Genereaux, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against David Springer, MD. Motion carried unanimously.

LAWRENCE J WILLIAMSON, MD
10 MED 032

MOTION: Suresh Misra moved, seconded by Azita Hamedani, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Lawrence J. Williamson, MD. Motion carried unanimously.

TODD M BRADSHAW, MD
10 MED 232

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Todd M. Bradshaw, MD. Motion carried unanimously.

JOHN W INGALLS, MD
08 MED 358

MOTION: Gene Musser moved, seconded by Suresh Misra, to reject the Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against John W. Ingalls, MD, and to return this matter to the Division of Enforcement. Motion carried unanimously.

**JOSEPH HILLEL GRABOYES, MD
09 MED 241**

MOTION: Suresh Misra moved, seconded by Jude Genereaux, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Joseph Hillel Graboyes, MD. Motion carried unanimously.

CONSIDERATION OF COMPLAINT

10 MED 306

MOTION: Carolyn Bronston moved, seconded by Sandra Osborn, to find probable cause to issue a complaint in the matter of **10 MED 306**. Motion carried unanimously.

**PROPOSED FINAL DECISION AND ORDER, OBJECTIONS AND RESPONSES IN
THE MATTER OF WILLIAM I BRAUNSTEIN, MD
DHA CASE DRL 10-0024/DRL CASE 10 MED 294**

MOTION: Jude Genereaux moved, seconded by Carolyn Bronston, to adopt the Proposed Final Decision and Order in the disciplinary proceedings against William I. Braunstein, MD. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

09 MED 394

MOTION: James Conterato moved, seconded by Suresh Misra, to issue the Administrative Warning in case **09 MED 394**. Motion carried. Azita Hamedani abstained.

11 MED 104

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to issue the administrative warning in case **11 MED 104**. Motion carried. James Conterato, Azita Hamedani, Gene Musser and Sandra Osborn abstained.

AFFIDAVIT OF COST IN THE MATTER OF NARENDAR K JAIN, MD

MOTION: Sandra Osborn moved, seconded by Carolyn Bronston, to adopt the order fixing costs in the disciplinary proceedings against Narendar K. Jain, MD. Motion carried unanimously.

Jude Genereaux was excused from the meeting at this time.

APPLICATION REVIEW

JOHN D PUCHNER, MD

MOTION: Gene Musser moved, seconded by Azita Hamedani, to deny the request from John D. Puchner, MD, to take the SPEX. Motion carried. Sheldon Wasserman abstained.

CASE CLOSINGS

10 MED 233

MOTION: Sandra Osborn moved, seconded by Carolyn Bronston, to close case **10 MED 233** for no violation. Motion carried unanimously.

11 MED 007

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to close case **11 MED 007** for no violation. Motion carried unanimously.

10 MED 206

MOTION: James Conterato moved, seconded by Carolyn Bronston, to close case **10 MED 206** for compliance gained. Motion carried unanimously.

11 MED 084

MOTION: LaMarr Franklin moved, seconded by Sandra Osborn, to close case **11 MED 084** for insufficient evidence. Motion carried unanimously.

10 MED 347

MOTION: James Conterato moved, seconded by Sandra Osborn, to close case **10 MED 347** for no violation. Motion carried unanimously.

RATIFYING LICENSES AND CERTIFICATES

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to ratify all licenses and certificates presented. Motion carried unanimously.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

MOTION: LaMarr Franklin, seconded by Suresh Misra, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 12:36 p.m.